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UNITED NATIONS COMMON SYSTEM

Report of the Fifth Committee

Rapporteur: Mr. Mahbub KABIR (Bangladesh)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "United Nations common system" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 11th, 13th, 14th, 16th, 18th and 29th meetings, on 3, 8, 10, 12 and 16 November and 4 December 1993. Comments made in the course of the Committee's discussion of the item are reflected in the relevant summary records (A/C.5/48/SR.11, 13, 14, 16, 18 and 29).

3. For its consideration of the item, the Committee had before it the nineteenth annual report of the International Civil Service Commission. 1/

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/48/L.5

4. At the 29th meeting, on 4 December, following informal consultations, the representative of Australia introduced a draft resolution entitled "United Nations system: report of the International Civil Service Commission" (A/C.5/48/L.5), and orally revised it as follows: in the third preambular paragraph of section I, the word "resumption" was replaced with the word "re-starting".

1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 30 and corrigendum (A/48/30 and Corr.1).

5. At the same meeting, the Committee adopted draft resolution A/C.5/48/L.5, as orally revised, without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the nineteenth annual report of the International Civil Service Commission 2/ and other related reports, 3/

Reaffirming its commitment to a single unified United Nations common system,

Strongly supporting the work of the International Civil Service Commission as an independent expert body towards regulation and coordination of the conditions of service of the United Nations common system,

I

STAFF PARTICIPATION IN THE WORK OF THE COMMISSION

Recalling section II, paragraph 2, of its resolution 45/241 of 21 December 1990, section I, paragraph 5, of its resolution 46/191 A of 20 December 1991 and section I.B of its resolution 47/216 of 23 December 1992,

Noting the changes introduced by the International Civil Service Commission in its working methods that resulted in the full participation of the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System in the work of the Commission,

Regrets the continued suspension of participation by the Federation of International Civil Servants' Associations in the work of the International Civil Service Commission, and again urges that the Commission and the Federation work towards the re-starting of the dialogue between them;

2/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 30 and corrigendum (A/48/30 and Corr.1).

3/ Ibid., Supplement No. 9 and corrigendum (A/48/9 and Corr.1), A/48/517, A/C.5/48/4, A/C.5/48/17 and A/C.5/48/18 and Corr.1.

II

CONDITIONS OF SERVICE OF THE PROFESSIONAL AND HIGHER CATEGORIES

A. Comparator

Recalling section VI of its resolution 46/191 A and section II.C of its resolution 47/216,

Takes note of the programme of work of the International Civil Service Commission outlined in its annual report 4/ relating to specific issues regarding the application of the Noblemaire principle, and, in this regard, stresses the universal character of the United Nations;

B. Margin considerations

Recalling section II.A of its resolution 47/216, in which the General Assembly took note of the study by the International Civil Service Commission of the methodology for determining the cost-of-living differential between New York and Washington in the context of net remuneration margin calculations, and requested the Commission to submit a report on the application of the methodology to it,

1. Takes note of the decisions of the International Civil Service Commission with regard to the introduction of the new methodology;

2. Notes the net remuneration margin of 114.2 for the calendar year 1993;

3. Also notes from annex VIII to the report of the International Civil Service Commission that the United Nations/United States remuneration ratios range from 186.0 at the P-1 level to 116.5 at the D-2 level, considers that this imbalance should be addressed in the context of the overall margin considerations established by the General Assembly, and reiterates its request to the Commission, contained in section II.G of its resolution 47/216, to make proposals in this regard to it at its forty-ninth session;

C. Base/floor salary scale

Recalling section I.H, paragraph 1, of its resolution 44/198 of 21 December 1989, by which it approved the establishment of a floor net salary scale by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service, as well as section V of resolution 47/216,

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4/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 30 and corrigendum (A/48/30 and Corr.1), para. 100.

1. Approves, with effect from 1 March 1994, the revised scale of gross and net salaries for staff in the Professional and higher categories contained in annex I to the present resolution;

2. Requests the Commission to review and, if necessary, recommend revised rates of staff assessment consequential upon changes in the base/floor salary scale;

D. Expatriate entitlements

Recalling paragraph 3 of section I.G of its resolution 44/198, in which it requested the International Civil Service Commission to collect the necessary information on the practices of the organizations of the United Nations common system regarding the granting of expatriate entitlements to staff members living in their home country while stationed at duty stations located in another country, in order to assess the feasibility of harmonizing practices among organizations,

1. Notes the conclusion of the International Civil Service Commission that the practices followed by the organizations of the United Nations common system were consistent with the provisions of the staff rules and regulations as adopted by the governing bodies of the organizations concerned;

2. Requests the International Civil Service Commission to study the matter further, with a view to harmonizing the practices of organizations with those of the United Nations and to make recommendations thereon to the General Assembly at its fifty-first session;

E. Language incentive

Recalling section XXIII of its resolution 2480 B of 21 December 1968, paragraph 2 of section III of its resolution 38/232 of 20 December 1983 and section I.A of its resolution 47/216,

1. Decides that organizations wishing to introduce the language incentive scheme to promote linguistic balance should do so within the parameters set out in the report of the International Civil Service Commission 5/ and, in this regard, requests all United Nations organizations to pay particular attention to the situation of staff members whose mother tongue is not an official language of the United Nations;

2. Decides also that the organizations that already have a language incentive scheme should ensure that the scheme is in line with the parameters set out in the report of the International Civil Service Commission; 5/

3. Requests the International Civil Service Commission to report on the introduction of the language incentive scheme by the organizations, to review

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5/ Ibid., para. 172.

the scheme after taking into account the views expressed in the General Assembly and to report thereon to the Assembly at its fifty-third session;

F. Relationship between hours of work and remuneration

Recalling section I.A of its resolution 47/216,

1. Concurs fully with the views expressed by the International Civil Service Commission regarding the relationship between hours of work and remuneration as set out in its annual report; 6/

2. Endorses the decision of the International Civil Service Commission to maintain the current common system practice with regard to working hours; 7/

G. Post adjustment issues

Taking note of paragraph 142 of the report of the International Civil Service Commission, 2/

Requests the International Civil Service Commission to ensure that place-to-place surveys conducted for all headquarters duty stations are fully representative of the cost-of-living of all staff working in the duty station;

III

GENERAL SERVICE SALARY SURVEY METHODOLOGY

Recalling section XIII, paragraph 4, of its resolution 45/241 and section X of its resolution 46/191 A, by which, inter alia, it requested the International Civil Service Commission to report on its review of the methodology for the conduct of salary surveys of the General Service and related categories at headquarters duty stations,

Recalling also its request to the Secretary-General in section XIII, paragraph 3, of its resolution 45/241 and section III of its resolution 47/216, by which it requested a report on procedures whereby the Secretary-General and other executive heads could take measures regarding salary scales of the General Service category at variance with recommendations of the International Civil Service Commission only after consultations with the appropriate intergovernmental bodies and the Commission,

Taking note of the report of the Secretary-General as contained in document A/C.5/48/4, in which the Secretary-General proposes that consultation with the Advisory Committee on Administrative and Budgetary Questions could be conducted

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6/ Ibid., paras. 180-186.

7/ Ibid., para. 187.

prior to making a decision on the establishment of General Service salaries following a survey carried out by the International Civil Service Commission,

1. Takes note of the decisions of the International Civil Service Commission in respect of its review of the general methodology for surveys of best prevailing conditions of employment at non-headquarters duty stations; 8/

2. Urges organizations to implement the recommendations of the International Civil Service Commission with regard to salary scales for staff in the General Service and related categories, and requests that, in cases where decisions at variance with the recommendations of the International Civil Service Commission are envisaged, the matter be referred to the governing body of the organization(s) concerned;

IV

STAFF ASSESSMENT AND TAX EQUALIZATION FUND

Recalling section XXVI, paragraph 4, of its resolution 47/219, concerning the first performance report on the programme budget for the biennium 1992-1993, by which it urged the International Civil Service Commission to review the rates of staff assessment during 1993,

Recalling also its decision 47/459 of 23 December 1992, by which it requested the Secretary-General to review all aspects of the question of staff assessment as they affected the budgets of the United Nations organizations and programmes, taking into account the views of the International Civil Service Commission and the experience of other organizations of the common system, and to present proposals to the General Assembly at its forty-eighth session, through the Commission,

1. Adopts, with effect from 1 March 1994, the revised staff assessment scale and consequential amendments to the staff regulations of the United Nations, as contained in annex II to the present resolution, for use in conjunction with gross base salaries for staff in the Professional and higher categories;

2. Regrets that it has not received the review of all aspects of the question of staff assessment as requested in its decision 47/459, and requests the Secretary-General to provide the report no later than at its forty-ninth session;

V

PERSONNEL POLICY CONSIDERATIONS

Recalling its request in section XII, paragraph 1, of its resolution 45/241 and section VIII of its resolution 46/191 A that, as a matter of priority, the

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8/ Ibid., paras. 188-197.

International Civil Service Commission resume active consideration of the substantive areas covered under articles 13 and 14 of its statute,

Recalling also section VII of its resolution 47/216, by which it urged the International Civil Service Commission to give attention in its work programme to measures designed to promote sound personnel management in the international public service,

1. Notes with appreciation the action taken by the International Civil Service Commission under articles 13 and 14 of its statute with regard to job classification and human resource management, training in the context of human resource development and the status of women in the United Nations common system;

2. Urges the International Civil Service Commission, in this context, to devote further attention to personnel management issues;

3. Takes note of the report of the International Civil Service Commission on the implementation of the decisions and recommendations under article 17 of its statute, 9/ and welcomes the action taken by the World Health Assembly and the Governing Body of the International Labour Organization regarding the extra steps beyond the common system salary scales;

VI

DECISIONS OF ADMINISTRATIVE TRIBUNALS

Recalling its resolution 3357 (XXIX) of 18 December 1974, by which it established the International Civil Service International Civil Service Commission for the regulation and coordination of the conditions of service of the United Nations common system,

Noting that judgements regarding the conditions of service of staff, including, inter alia, salary scales for the General Service and related categories and post adjustment for the Professional and higher categories by either the United Nations Administrative Tribunal or the Administrative Tribunal of the International Labour Organization may have a consequential impact for the United Nations Joint Staff Pension Fund,

Noting also that, while under article 20 of the rules of procedure of the United Nations Administrative Tribunal and under article 17 (1) of the Rules of Court of the Administrative Tribunal of the International Labour Organization the Chairman of the Pension Board may, on giving previous notice to the President of the Tribunal concerned, intervene in a case if it is considered that the judgement to be given by the Tribunal could affect the administration of the United Nations Joint Staff Pension Fund, there are no established mechanisms to ensure that the Pension Fund receives timely notice of such cases and, furthermore, such opportunity is not provided to the International Civil Service Commission by either Tribunal,

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9/ Ibid., chap. VIII.

1. Notes the administrative and financial implications for the organizations of the common system of judgements Nos. 1265 and 1266 of the Administrative Tribunal of the International Labour Organization regarding the salary scale resulting from the General Service salary survey for Geneva conducted by the International Civil Service Commission in 1990;

2. Regrets in this regard that the International Civil Service Commission and the common system organizations, other than the respondent, did not have an opportunity to have their views presented to the Administrative Tribunal of the International Labour Organization;

3. Requests the Secretary-General to consult fully with the International Civil Service Commission regarding the methodologies, procedures and rationale used in arriving at its decisions or recommendations that are the subject of appeals before the United Nations Administrative Tribunal and to ensure that the views of the Commission are fully reflected in his submissions to the Tribunal;

4. Also requests the Secretary-General to consult with the United Nations Joint Staff Pension Board in the event that the outcome of the appeals mentioned in paragraph 3 above have an impact on the United Nations Joint Staff Pension Fund;

5. Requests the executive heads of the other organizations of the common system to consult with the International Civil Service Commission and the United Nations Joint Staff Pension Board as set out in paragraphs 3 and 4 above, respectively, in similar cases before the United Nations Administrative Tribunal or the Administrative Tribunal of the International Labour Organization where they are the respondents;

6. Urges the governing bodies of the organizations of the common system to ensure that the executive heads of their organizations consult the International Civil Service Commission and the United Nations Joint Staff Pension Board on all such cases before either Tribunal;

7. Requests the Secretary-General, in consultation with the executive heads of the organizations of the United Nations common system, to examine the feasibility of:

(a) Amending the statute of the International Civil Service Commission and/or the relationship agreements between the United Nations and the other organizations of the common system with a view to ensuring a coordinated response in all appeals involving the conditions of service of staff of the common system;

(b) Introducing arrangements similar to those under article 20 of the rules of procedure of the United Nations Administrative Tribunal and article 17 (1) of the Rules of Court of the Administrative Tribunal of the International Labour Organization, with established mechanisms for providing timely notice of such cases to the International Civil Service Commission, to

enable the Commission to intervene in appeals before those Tribunals involving decisions or recommendations of the Commission or any other common system issues;

and to report thereon to the General Assembly at its forty-ninth session.

ANNEX I

Salary scale for the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment a/

(United States dollars)

(Effective 1 March 1994)

Level		Steps														
		I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
USG	Gross	118,759														
	Net D	90,843														
	Net S	80,922														
ASG	Gross	125,677														
	Net D	83,586														
	Net S	74,721														
D-2	Gross	102,177	104,501	106,825	109,147	111,496	113,861									
	Net D	69,113	70,660	71,888	73,155	74,503	75,851									
	Net S	63,418	64,568	65,718	66,868	67,999	69,128									
D-1	Gross	89,918	91,906	93,896	95,882	97,872	99,862	101,852	103,842	105,830						
	Net D	62,881	63,156	64,310	65,462	66,616	67,770	68,924	70,078	71,231						
	Net S	57,366	58,334	59,319	60,302	61,287	62,272	63,257	64,242	65,226						
P-5	Gross	78,968	80,718	82,468	84,258	86,028	87,797	89,567	91,360	93,150	94,959	96,759	98,550	100,359		
	Net D	55,530	56,574	57,618	58,662	59,707	60,750	61,796	62,839	63,882	64,926	65,970	67,014	68,058		
	Net S	51,466	52,415	53,364	54,313	55,261	56,209	57,158	58,063	58,953	59,845	60,736	61,626	62,517		
P-4	Gross	66,589	68,280	67,896	69,591	71,291	72,986	74,683	76,404	78,130	79,855	81,579	83,308	85,033	86,759	88,485
	Net D	46,981	47,920	48,938	49,955	50,976	51,992	53,010	54,028	55,047	56,064	57,082	58,102	59,119	60,138	61,156
	Net S	43,618	44,565	45,471	46,397	47,325	48,250	49,177	50,103	51,028	51,952	52,876	53,803	54,728	55,653	56,578
P-3	Gross	52,274	53,792	55,321	56,807	58,486	60,026	61,802	63,161	64,729	66,319	67,913	69,507	71,101	72,694	74,290
	Net D	39,303	40,339	41,296	42,251	43,208	44,165	45,121	46,078	47,034	47,992	48,948	49,904	50,860	51,817	52,774
	Net S	36,781	37,649	38,518	39,387	40,258	41,128	41,998	42,869	43,739	44,610	45,481	46,351	47,221	48,091	48,962
P-2	Gross	41,695	43,013	44,328	45,665	47,021	48,380	49,738	51,095	52,455	53,811	55,174	56,578			
	Net D	32,652	33,508	34,363	35,219	36,074	36,929	37,785	38,640	39,496	40,351	41,206	42,063			
	Net S	30,660	31,462	32,221	33,000	33,776	34,553	35,330	36,106	36,884	37,660	38,436	39,216			
P-1	Gross	31,393	32,604	33,812	35,023	36,287	37,551	38,818	40,082	41,346	42,611					
	Net D	25,867	26,671	27,492	28,315	29,136	29,958	30,782	31,603	32,425	33,247					
	Net S	24,418	25,181	25,942	26,704	27,453	28,203	28,956	29,704	30,453	31,203					

D = Rate applicable to staff members with a dependent spouse or child.
S = Rate applicable to staff members with no dependent spouse or child.

a/ This scale represents the result of a consolidation of 3.6 multiplier points of post adjustment into net base salary. There will be consequential adjustments in the post adjustment indices and multipliers at all duty stations effective 1 March 1994. Thereafter, changes in post adjustment classifications will be effected on the basis of the movements of the newly consolidated post adjustment indices.

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ANNEX II

Amendment to the Staff Regulations of the United Nations

Regulation 3.3

Replace the second table in paragraph (b) (i) with the following table:

Staff assessment rates used in conjunction with gross base salaries

Total assessable payments (United States dollars)	Staff member with a dependent spouse or dependent child	Staff member with neither a dependent spouse nor a dependent child
First $15,000 per year	9.0	12.4
Next $5,000 per year	21.0	26.9
Next $5,000 per year	25.0	30.4
Next $5,000 per year	29.0	34.7
Next $5,000 per year	32.0	37.0
Next $10,000 per year	35.0	40.7
Next $10,000 per year	37.0	42.8
Next $10,000 per year	39.0	44.5
Next $10,000 per year	40.0	45.4
Next $15,000 per year	41.0	46.4
Next $20,000 per year	42.0	50.5
Remaining assessable payments	43.0	52.6